

BILL NO. S-69-09-30

SPECIAL ORDINANCE NO. S-348-69

AN ORDINANCE authorizing the conveyance of real estate to correct an error in the acquisition of land for the Cedarville Reservoir.

WHEREAS, in connection with the acquisition of real estate for the Cedarville Reservoir, the City of Fort Wayne acquired certain real estate from Joseph B. and E. M. Newhouser, based upon a survey made at that time, which survey was dated the 13th day of August, 1951; and

WHEREAS, subsequently, the owners of certain real estate platted an addition known as Richard's Riverview Addition, the East line of which followed the West line of the City's purchase for the Cedarville Dam as the land actually existed; and

WHEREAS, the West line of the City's property was described as running North 19 degrees West along the real estate in question; and

WHEREAS, said real estate was subsequently resurveyed by the Water Engineering Department of the City of Fort Wayne, which showed that the actual line of the City-acquired property ran North 10 degrees, 51 minutes West; and

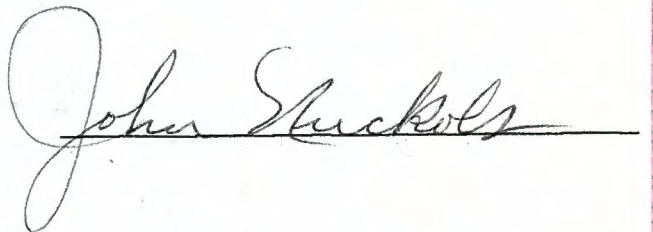
WHEREAS, the original survey and deed, based upon the same, casts a cloud upon the title to the real estate which lies West of the actual line of the City property and between it and the West line as shown by the original survey made in 1951:

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

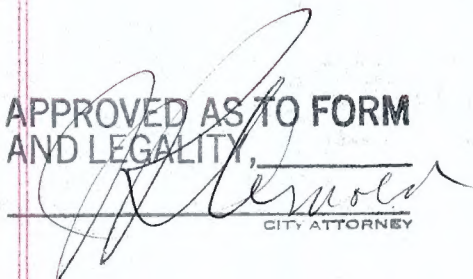
SECTION 1. That the Mayor and the City Clerk are hereby authorized to release and Quit-Claim to the present owners of the affected real estate described as follows:

That part of the Southwest quarter of Section 22, Township 32 North, Range 13 East, in Allen County, Indiana, beginning at a point on the South line of the Southwest quarter of Section 22, Township 32 North, Range 13 East, said point being situated 845 feet East of the Southwest corner of the Southwest quarter of said Section. Township and Range; thence North 10 degrees 51 minutes West, 1,170 feet; thence West to intersect ~~xxx~~ with a line beginning at the point hereinabove described and running North 19 degrees West from said point; thence South along said last described line to the point of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.



APPROVED AS TO FORM
AND LEGALITY,



CITY ATTORNEY

Bill No. S-69-09-30

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance
authorizing the conveyance of real estate to correct an error in the acquisition
of land for the Cedarville Reservoir,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

JOHN NUCKOLS, Chairman

EDWIN J. ROUSSEAU, Vice-Chairman

THOMAS G. ADAMS

CELIA ANN FAY

JOHN H. ROBINSON

John Nuckols
Edwin J. Rousseau
Thomas G. Adams
Celia Ann Fay

CONCURRED IN
DATE 10-14-69 EUAD G. BONAHOOM, CITY CLERK

Read the first time in full and on motion by Nuckols seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Public Works (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____ 196____, at _____ o'clock _____ P.M., E.S.T.)

Date: 9-30-69

Luad G. Bonachoon
City Clerk

Read the third time in full and on motion by Nuckols seconded by Rousseau and duly adopted, placed on its passage.
Passed ~~(LOST)~~ by the following vote:

AYES 7, NAYS 0, ABSTAINED _____, ABSENT 2 to-wit:

Adams	<u>✓</u>	_____	_____	_____
Dunifon	_____	_____	_____	<u>✓</u>
Fay	<u>✓</u>	_____	_____	_____
Geake	<u>✓</u>	_____	_____	_____
Nuckols	<u>✓</u>	_____	_____	_____
Robinson	_____	_____	_____	<u>✓</u>
Rousseau	<u>✓</u>	_____	_____	_____
Steigerwald	<u>✓</u>	_____	_____	_____
Tipton	<u>✓</u>	_____	_____	_____

Date 10-14-69

Luad G. Bonachoon
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map)(General)(Annexation)(Special)(Appropriation) Ordinance (Resolution) No. 5348-69

on the 14th day of October, 1969.

ATTEST: (SEAL)

Luad G. Bonachoon
City Clerk

Herbert H. Tipton
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1969 at the hour of 8:30 o'clock A.M., E.S.T.

Luad G. Bonachoon
City Clerk

Approved and signed by me this 15th day of October, 1969, at the hour of 9:23 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor